

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>BRENTWOOD INVESTMENTS, LLC,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 2:14-cv-151-DBH</b>
	)	
<b>JAMES G. STANLEY, JR.,</b>	)	
	)	
<b>DEFENDANT</b>	)	

**REPORT OF FINAL PRETRIAL CONFERENCE AND ORDER**

A final pretrial conference was held on August 18, 2015, in Portland, Maine, before Judge D. Brock Hornby. George Marcus and Daniel L. Rosenthal appeared for the plaintiff. George T. Dilworth and Michael L. Buescher appeared for the defendant. The following matters were addressed and will govern the trial of this case.

**I. Case Description**

This is a case about collection of a Note. The crucial issue (and the only defense on the Note) is whether Michael Liberty and the Liberty Companies waived—or asserted and lost—a claim to collect the same Note in arbitration proceedings and, if they did, whether that outcome should preclude Brentwood from collecting, on the basis that Liberty and Brentwood are one-and-the-same (a corporate veil-piercing issue). If there is liability, the parties agree on the principal, interest, and penalties as described in the Plaintiff's Final Pretrial Memorandum at 4 (ECF No. 66).

## **II. Trial Preparation**

- A. Discovery. Discovery is complete.
- B. Motions in Limine. None.
- C. Maximum Number of Trial Days. The case will require no more than 3 full trial days.

## **III. Trial Schedule**

- A. Trial Period. The case will be tried during the period September 23-25, 2015.
- B. Settlement Notice. The parties shall inform the Clerk's Office whether the case is settled or firm for trial by September 18, 2015.

## **IV. Trial Process**

- A. Stipulations. The parties shall file all agreed-to stipulations by September 18, 2015.
- B. Exhibits. The parties shall exchange exhibits by September 11, 2015. The parties shall jointly prepare a consolidated list of all exhibits to be offered at trial, employing the form available on the Court's website—<http://www.med.uscourts.gov>—by September 18, 2015. One extra set of exhibits for the judge's pre-trial review shall be filed by the same date.
- C. Witnesses. Each party shall file its witness list by September 18, 2015. For each witness, the list shall indicate (i) the witness's name and address; (ii) a concise statement of the general subject

matter of the witness's testimony; and (iii) an estimate of the time required for the direct examination of the witness.

**SO ORDERED.**

**DATED THIS 18<sup>TH</sup> DAY OF AUGUST, 2015**

/s/D. BROCK HORNBY

**D. BROCK HORNBY**

**UNITED STATES DISTRICT JUDGE**